IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

DAVID STEBBINS,)
Plaintiff,)
v.) Case No. 10-3305-CV-S-RED
RELIABLE HEAT & AIR, LLC, et al., And)))
RANDAL RICHARDSON, et al.)
Defendants	,

PLAINTIFF'S RESPONSE TO DEFENDANTS'

FIRST REQUEST FOR ADMISSIONS

Enclosed is the Plaintiff's response to the Defendants' first request for admissions.

- 1. Admit that you did not inform Richardson of your disability prior to starting your employment with Defendants.
 - Response: Admit that I did not inform Richardson of my disability *prior* to starting employment, but I still timely informed him.
- 2. Admit that you were offered a different employment with defendants to accommodate your disability as alleged in your complaint.

Response: Deny

3. Admit that you refused to accept a different employment position with Defendants.

Response: Deny

- 4. Admit that during your employment with Defendants you were rude and verbally abrasive to customers that called Defendants' office.

 Response: Deny that I was "rude and abrasive," but admit to the possibility of being tactless.
- 5. Admit that you were offered an employment with Defendants in a position that did not require customer contact and that you refused to accept such a position.

Response: Deny

- 6. Admit that you read and signed the standard company policy pamphlet. Response: Admit that I read and signed the policy pamphlet, but do not agree, blindly, to any specific terms.
- 7. Admit that Defendants' business a service-oriented business with a reputation for quick, quality and friendly service.

Response: The Plaintiff lacks sufficient information to either admit or deny. The Plaintiff has no knowledge of the company's "reputation" throughout Branson, MO. The Plaintiff cannot reasonably obtain this information with the resources currently at his dispoal. In any event, the Plaintiff denies that such a fact is even relevant to this case.

David Stebbins 1407 N Spring Rd, APT #5

David Stell

Harrison, AR 72601 Phone: 870-204-6024 stebbinsd@yahoo.com

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REQUEST FOR PRODUCTION

Comes now Plaintiff David Stebbins, who hereby submits the following request for production: In his answer to his first interrogatory, Richardson explained that he attempted to accommodate my disability by offering me a job reassignment to a computer station.

To prove that such a position even *existed*, at the time I worked there, I would like copies of the W-4's of all the workers who worked in that computer position during the year of 2009.

Furthermore, I want a copy of Reliable Heat & Air, LLC's bank records, detailing every single bank transaction from the date of January 1, 2009 to December 31, 2009. Along with the actual bank transactions, I also want the names of the other parties to whom these payments were either sent, or received.

You hereby have until February 4, 2011 to provide these documents. Thank you. It is submitted on this 5th day of January, 2011.

David Stebbins 1407 N Spring Rd, APT #5

David Stebbens

Harrison, AR 72601 Phone: 870-204-6024 stebbinsd@yahoo.com

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CERTIFICATE OF SERVICE

The undersigned hereby state that a true and correct copy of Plaintiff's Response to Defendants' First Request for Admissions and

Plaintiff's Third Request for Production was delivered to

Gary Allman Missouri Bar #19921 P.O. Box 5049 Branson, MO 65615 Phone: (417) 332 – 2800

Fax: (417) 332 – 280 Fax: (417) 332 – 1008

email: garywallman@gmail.com

by transmitting a copy via email transmission to <u>garywallman@gmail.com</u>, on the 5th day of January, 2011.

David Stebbins

1407 N Spring Rd, APT #5 Harrison, AR 72601

David Stellen

Phone: 870-204-6024 stebbinsd@yahoo.com